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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/672,364	09/26/2003	Rami Caspi	2003P08221US	3012
7590	05/21/2007			
Elsa Keller Siemens Corporation Intellectual Property Department 170 Wood Avenue South Iselin, NJ 08830			EXAMINER FERGUSON, KEITH	
			ART UNIT 2618	PAPER NUMBER
			MAIL DATE 05/21/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/672,364	<b>Applicant(s)</b> CASPI ET AL.	
	<b>Examiner</b> Keith T. Ferguson	<b>Art Unit</b> 2618	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 March 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) 11 and 14 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10, 12, 13 and 15-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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**DETAILED ACTION**

1. The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2618.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-8 and 15-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elliot in view of Silver et al., newly recited reference.

Regarding claims 1-3,7,8, Elliot discloses a telecommunications system (fig. 1), comprising: a plurality of network clients (fig. 1 number 1) including a positioning controller (GPS device) (col. 4 line 51 through col.5 line 9) and a communications controller (device controller) (col. 4 line 51 through col.5 line 9); and a positioning server (central control system) including a coordinating controller (fig. 3 number 36) for maintaining a database of network clients to be tracked and provide updates of position-related information to a presence server (col. 5 lines 19-59); wherein an associated network client is configured to transmit position information received via said positioning controller to said positioning server via said communications controller when said associated network client is determined to be outside a predetermined threshold range (col. 7 line 27 through col. 8 line 12). Elliot differs from claim 1 of the present invention in that it does not disclose wherein said presence server is configured to

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maintain one or more availability rules associated with a user of said network client based on whether it is determined to be in the predetermined location. Silver et al. teaches a system (fig. 1) wherein a presence server (fig. 1 number 110) contains a customer profile preference or priorities (availability rules) (fig. 1 number 112) associated with a mobile device (fig. 1 number 104) based on whether the mobile device is determined to be at a specified location (P:0019 lines 1-23, P:0032 line 1 through P:0034 line 12 and P:0040 lines 1-12). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Elliot with wherein said presence server is configured to maintain one or more availability rules associated with a user of said network client based on whether it is determined to be in the predetermined location in order for the system to inform the parent the times to call and the locations to call when the child is that specific location, as taught by Silver et al..

Regarding claims 4-6, Elliot discloses web services (e-mail) (instant message) (SIP) message generator for communicating said updates to said presence server (col. 3 lines 24-37, col. 7 lines 41-48 and col. 8 lines 43-54).

Regarding claims 15-31, Elliot discloses a telecommunications server/method (fig. 1 number 20) comprising: a presence control unit (fig. 3 number 36) adapted to receive and maintain presence information for a plurality of users devices (col. 6 line 30 through col. 7 line 40); and a location control unit (fig. 3 number 26) adapted to receive and maintain location information for said plurality of users (col. 6 line 30 through col. 7 line 40), said location information correlated with said presence information (col. 6 line 30 through col. 7 line 40); wherein said location control unit is adapted to receive updates to said location information for particular ones of said plurality of users when said particular ones determine they are outside a predetermined range (col. 3 lines 15-37 and col. 6 line 30 through col. 8 line 13). Elliot differs from claim 15 of the present invention in that it does not explicit discloses a presence control unit adapted to receive availability information and location information for a plurality of users. Silver et al. teaches a presence server (fig. 1 number 110) that provides presence (location information) and availability data for a subscriber based upon a

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customer profile database (fig. 1 number 112 and P:0019 lines 9-29 and P:0033 line 1 through P:0034 line 12). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Elliot with a presence control unit adapted to receive availability information and location information for a plurality of users in order for the server to inform the parents the times to call and the locations to call when the children is at that specific location, as taught by Silver et al..

4. Claim 9,10,12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elliot in view of De Vries, newly recited reference.

Regarding claims 9,10,12 and 13, Elliot discloses a telecommunications device (fig. 1 number 12), comprising: a positioning controller (GPS device) (col. 4 line 51 through col.5 line 9) adapted to determine positioning information for said telecommunications device (col. 4 line 51 through col.5 line 9); and a cellular telephone controller (controller for cellular transmission (col. 4 line 51 through col.5 line 9) adapted to receive said positioning information from said positioning controller and cause said positioning information to be transmitted to an associated server when said telecommunications device is determined to have changed status (col. 4 line 51 through col.5 line 9). Elliot differs from claim 9 of the present invention in that does not disclose wherein said telecommunications device further includes a rules database of location and presence and availability, related information; wherein said cellular telephone controller receives updates to said rule database from said associated server. De Vries teaches a client side storage (rule database) within a communication device (fig. 1 number 120) which defines a work mode where the user is visible (location, presence and availability, wherein the client side storage receives updates of friends on a buddy list (col. 9 lines 62 through col. 10 line 19). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide Elliot with a rules database of location and presence and availability, related information; wherein said cellular telephone controller receives updates to said rule database from said associated server in order for the child device to receive restrictions of forbidden area to travel from its parents to be

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stored within its memory and to alert the child device when the child device is near a forbidden area, as taught by De Vries.

**Conclusion**

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Keith T. Ferguson whose telephone number is (571) 272-7865. The examiner can normally be reached on 6:30am-4:30 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Keith Ferguson  
Art Unit 2618  
May 9, 2007

**KEITH FERGUSON**  
**PRIMARY EXAMINER**

